

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE**

**IN THE MATTER OF THE SEARCH OF:
A BLACK SAMSUNG SMART PHONE, MODEL:
SM-S215DL, IMEI: 354235111659185, CURRENTLY
STORED AT THE KNOXVILLE
FEDERAL BUREAU OF INVESTIGATION,
1501 DOWELL SPRINGS BLVD., KNOXVILLE,
TENNESSEE 37909.**

Case No. 3:21-MJ- 2137

FILED

OCT 04 2021

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

Your affiant, Emily L. Ciaravino, a Special Agent of the Federal Bureau of Investigation (FBI) being duly sworn, deposes and states the following:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed since January 2019. I am an "Investigative or Law Enforcement Officer" within the meaning of Section 2510(7) of Title 18, United States Code; that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Section 2516 of Title 18, United States Code. My primary duties and responsibilities involve the investigation of violations of federal law including violent crime as found in Title 18 of the United States Code and the Controlled Substances Act as found in Title 21 of the United States Code. I am currently assigned to the Knoxville Field Office of the FBI and am assigned to the Violent Crime Squad. During my tenure as a Special Agent, I have investigated crimes including, but not limited to, bank robbery, gangs and organized crime, narcotics trafficking, fugitive investigations and violent crimes against children. I have conducted physical surveillance, assisted in the execution of search warrants, analyzed phone and internet records, and conducted

arrests of criminal subjects. Prior to joining the FBI, I was a Detective in the Criminal Investigations Division of the Roane County Sheriff's Office in Roane County, Tennessee. I received several hours of training and attended numerous classes regarding investigative techniques and methods related to crimes against children. As an FBI Special Agent, I am authorized to investigate violations relating to child exploitation and child pornography, including the production, transportation, receipt, distribution, and possession of child pornography, in violation of 18 U.S.C. §§ 2251 and 2252A, as well as the enticement and coercion of minors, in violation of 18 U.S.C. § 2422(b). I have gained experience in conducting these investigations through training and through everyday work, including executing search warrants and interviewing individuals who trade child pornography and who seek to sexually exploit children. As part of my training and experience, I have observed and reviewed numerous examples of child pornography, as defined in 18 U.S.C. § 2256, in multiple forms of media.

2. I make this affidavit in support of an application for a search warrant to search a black Samsung cellular telephone, model SM-S215DL, IMEI: 354235111659185, that is owned by BRENDON SETH LUFFMAN (LUFFMAN) and stored at the Knoxville Federal Bureau of Investigation located at 1501 Dowell Springs Blvd., Knoxville, Tennessee 37909. The information to be searched is described in the following paragraphs.

3. I seek authorization to search the aforementioned cellular device as specified in Attachment B, incorporated within this affidavit, which constitute contraband, evidence, fruits and instrumentalities of, and property designed for use in committing violations of 18 U.S.C. § 2251(a) and (e) (attempted production of child pornography), 18 U.S.C. § 2422(b) (attempted enticement of a minor), and 18 U.S.C. § 875(d) (interstate communications with intent to extort).

4. The statements contained in this affidavit are based my investigation; information provided by FBI Special Agents; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; information gathered from the service of administrative subpoenas; the results of physical and electronic surveillance conducted by law enforcement agents; independent investigation and analysis by FBI agents/analysts and computer forensic professionals; and my experience, training and background as a Special Agent with the FBI.

5. Because this affidavit is being submitted for the limited purpose of securing authorization for the requested search warrant, I have not included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish probable cause to believe that contraband, evidence, fruits, and instrumentalities of, and property designed for use in committing violations of 18 U.S.C. § 2251(a) and (e) (attempted production of child pornography), 18 U.S.C. § 2422(b) (attempted enticement of a minor), and 18 U.S.C. § 875(d) (interstate communications with intent to extort) are contained within LUFFMAN's cellular phone.

PROBABLE CAUSE

6. LUFFMAN was indicted in the Eastern District of Tennessee on June 16, 2021. The indictment, number 3:21-CR-76 charged LUFFMAN with violating Title 18 U.S.C. § 2251(a) and (e), Attempted Production of Child Pornography; Title 18 U.S.C. § 2422(b) Attempted Enticement of a Minor; and Title 18 U.S.C. § 875(d) Interstate Communications with Intent to Extort. These violations were committed utilizing social media (Facebook) which was made accessible by his cellular phone. At that time, LUFFMAN became the subject of a federal arrest warrant.

7. On June 30, 2021, Administrative Subpoena 704898 was issued to Verizon requesting the subscriber information for LUFFMAN's cell phone, (865) 312-1746.

8. On July 1, 2021, Verizon returned the information requested associated with Administrative Subpoena 704898, indicating it as a Tracfone number. Per Tracfone, a subpoena for subscriber information from Tracfone would likely be fruitless as Tracfone does not necessarily require the user to provide any identifying, or subscriber information to utilize the device. In my training and experience, this is often why people opt to utilize a Tracfone.

9. On July 2, 2021, Ciaravino obtained a search warrant for Geo-Location information for LUFFMAN (case number 3:21-MJ-2126), which included an order for the installation and use of a pen register trap and trace device, release of historical cell site and real-time geo-location information and other records pertaining to LUFFMAN's cell phone number (865-312-1746).

10. On July 7, 2021 Ciaravino obtained a search warrant for properties under the control of James Luffman (J. Luffman) to search for the person of LUFFMAN.

11. On July 7, 2021 LUFFMAN was arrested pursuant to the aforementioned arrest warrant issued by the United States District Court for the Eastern District of Tennessee at an address located at 2256 Old Harriman Highway Harriman, Tennessee 37748.

12. LUFFMAN was residing in a camper-style van, where he was located and arrested by FBI SWAT. Inside the van, was a sleeping area where a cell phone was observed in plain view.

13. This same date, LUFFMAN was read his Miranda Rights. LUFFMAN waived his rights, agreeing to be interviewed by law enforcement. During the interview LUFFMAN admitted he did in fact have a cellular phone and that it was located inside the van on his bed.

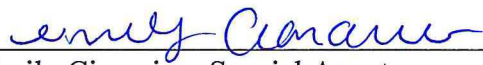
LUFFMAN signed a Consent to Search Computer(s) form, consenting for law enforcement to search his cell phone, a black Samsung, Model: SM-S215DL.

14. The cellular phone was subsequently collected and transported to FBI Knoxville.

CONCLUSION

15. Based on the information set forth in this affidavit, there is probable cause to believe that contraband, evidence, fruits, and instrumentalities of, and property designed for use in committing the violations of Title 18 U.S.C. § 2251(a) and (e) (attempted production of child pornography), 18 U.S.C. § 2422(b) (attempted enticement of a minor), and 18 U.S.C. § 875(d) (interstate communications with intent to extort) are presently located on the Samsung cellular telephone, as described in Attachment A, and the digital media therein. Accordingly, I respectfully request that this Court authorize the search of the black Samsung, Model SM-S215DL, so that law enforcement may seize the items listed in Attachment B.

Respectfully submitted,



Emily Ciaravino, Special Agent
Federal Bureau of Investigation

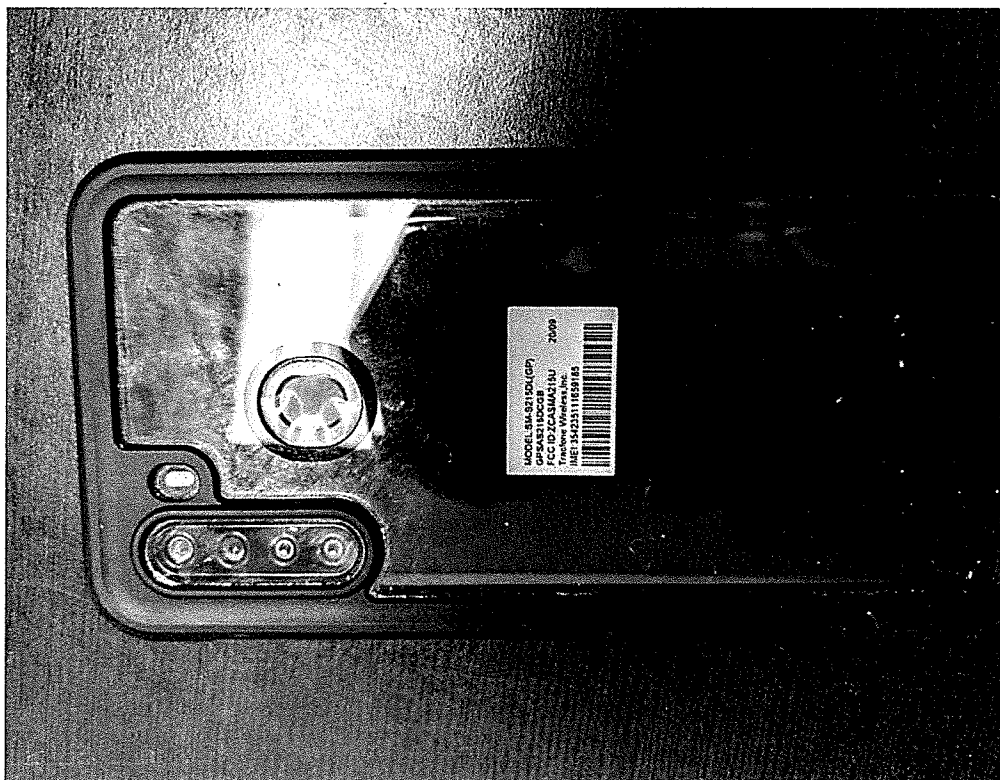
Subscribed and sworn to before me on July 30, 2021.



H. BRUCE GUYTON
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

A black Samsung Smart Phone, Model: SM-S215DL, IMEI: 354235111659185,
currently stored at the Knoxville Federal Bureau of Investigation, 1501 Dowell Springs Blvd.
Knoxville, Tennessee 37909





ATTACHMENT B

1. Child pornography in any form.
2. Any and all notes, images, documents, records, phone call history and data, or correspondence to include social media application use pertaining to child pornography as defined under Title 18 U.S.C. § 2256(8)
3. Any and all notes, images, documents, records, correspondence, phone call history or data indicating social media application use pertaining to the commission of violations of Title 18 U.S.C. § 2251(a) and (e) (attempted production of child pornography), 18 U.S.C. § 2422(b) (attempted enticement of a minor), and 18 U.S.C. § 875(d) (interstate communications with intent to extort).
4. Any and all information reflecting personal contact and any other activities with minors and/or minors visually depicted while engaged in sexually explicit conduct, as defined in Title 18 U.S.C. § 2256(2) and the commission of violations of Title 18 U.S.C. § 2251(a) and (e) (attempted production of child pornography), 18 U.S.C. § 2422(b) (attempted enticement of a minor), and 18 U.S.C. § 875(d) (interstate communications with intent to extort).